

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 1350 of 2007

SMT. KAMLA
V/S
GRAM PANCHAYAT, KOTARI & ORS.

Mr. MS GODARA for Mr. VINIT KUMAR MATHUR, for the
appellant / petitioner

Date of Order : 23.5.2007

HON'BLE SHRI N P GUPTA, J.

ORDER

Heard learned counsel for the petitioner.

From a look at Annex.1 (Patta), it transpires that the Patta was granted in accordance with the provisions of Rule 157 on the basis of old possession. Then a look at the order of the Additional Collector dated 4.12.2006 shows that the private respondent applied for grant of Patta claiming the house to be ancestral one, and thereupon inquiry was held. Of course initially inquiry was also held by deputing three Panchs to inspect the site inviting objections from the public, which notice was duly published, and no objections had been received, and thereafter, it was resolved to grant Patta. May be that, that procedure was not required to be followed, but if it has been followed, that did provide additional opportunity to the petitioner or any other person, if they were having any objection against grant of Patta to the private respondents. Admittedly, no material has been placed on

record of the Panchayat on the side of the petitioner to controvert the claim of the private respondent. In that view of the matter, I do not find any ground to interfere against the impugned order.

The writ petition is, therefore, dismissed summarily.

(N P GUPTA),J.

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